

AMHERST PLANNING BOARD
Wednesday, November 19, 2014 – 7:00 PM
Town Room, Town Hall
MINUTES

PRESENT: David Webber, Chair, Stephen Schreiber, Rob Crowner, Bruce Carson, Richard Roznoy, Greg Stutsman, Sandra Anderson and Christina Calabrese

ABSENT: None

STAFF: Jonathan Tucker, Planning Director
Christine Brestrup, Senior Planner

Mr. Webber opened the meeting at 7:05 PM.

I. MINUTES

The Board reviewed the Minutes of October 22, 2014. Mr. Webber requested an amendment to the last paragraph on page 4, to add the words “on each floor” so that the phrase would read as follows:

“There will now be the following configuration of units *on each floor*.”

Mr. Schreiber MOVED to approve the amended Minutes. Mr. Carson seconded and the vote was 5-0 -3 (Calabrese, Anderson and Roznoy abstained).

II. PUBLIC HEARINGS – SITE PLAN REVIEW & SPECIAL PERMIT

SPR2015-00003 – Public Hearing – Archipelago Investments LLC – 1 East Pleasant Street (the Carriage Shops) (Continued from October 1, 2014 and October 22, 2014 and November 12, 2014)

Request Site Plan Review approval for a mixed-use building containing dwelling units in combination with ground floor retail/commercial uses and parking, with 78 (now 84) apartments on Floors 2 through 5 (Map 11C, Parcel 278, B-G zoning district)

Mr. Webber noted that this was the fourth session at which the Planning Board was discussing the Carriage Shops. He summarized what had gone on before this evening. He noted that the Historical Commission had not met to discuss other aspects of the project. Ms. Brestrup reported on what the Historical Commission had discussed.

Mr. Tucker stated that the Historical Commission and the applicant were seeking to reach an agreement on the mural. The agreement may relate to how to handle the entryway to the West Cemetery and signs for the West Cemetery and the mural.

Kyle Wilson and David Williams of Archipelago Investments presented information on the proposed development.

Mr. Wilson stated that the applicants had met with the Historical Commission twice and will meet with the Commission again. Topics of discussion will include the Gaylord Gate, the entry to the Cemetery, signage on the applicant’s property, signage on the Cemetery and town property, along with plantings on town property, trees in the Cemetery, how the building can “turn the corner” to invite people back to the Cemetery and the mural.

Mr. Williams stated that the applicants have a contract with the mural artist who plans to use professional artists to paint the mural. The applicants may consider lighting the mural. The project will not be completed for two years. The applicants will come back with updates and resolutions of conditions relating to the mural and the Cemetery.

Mr. Crowner recommended that the Planning Board discuss the issue of parking. It is clear that this is a big issue. It points to a weakness in the Zoning Bylaw that needs to be fixed, he said. One of the Planning Board's goals is for people to have parking that they need in a place where they need it, but the Municipal Parking District removes a constraint on development in the downtown area. Mr. Crowner expressed skepticism that 36 parking spaces will be enough for the tenants of the new building, however he expressed support for the Municipal Parking District. The Planning Board should acknowledge concerns about parking and find a solution for future development.

There was further discussion about parking. Mr. Webber read from Mr. Tucker's memorandum on parking and noted that the Board could determine parking needs for the new building by relying on the percentage of units at Boltwood Place that require a parking space. The Board could consider requiring that additional parking spaces be provided off-site. There are lots of options to deal with parking, he said.

Ms. Anderson offered another option – a contribution from the developers of the building towards a downtown parking garage.

Mr. Schreiber expressed support for the Municipal Parking District. The Board cannot compel the applicant to provide something that is not required in the Bylaw. Mr. Stutsman noted that the sample lease states that the rental of a unit does not include parking. He asked if there could be an addenda that would offer a Zip Car option.

Mr. Wilson stated that the same lease is proposed to be used for Kendrick Place, Boltwood Place and One East Pleasant Street. The developers are working on forming a relationship with Zip Car and may be able to offer one or two Zip Cars on site in the future.

Mr. Tucker referred to his memorandum of October 16, 2014 regarding downtown parking. Ann Whalen Apartments contains 80 units and provides 30 reserved parking spaces on site. Clark House contains 100 units and provides 52 reserved parking spaces on site. The tenants of these buildings are largely elderly people and people with disabilities. Clark House also houses low income families. Both Clark House and Ann Whalen residents also use the Town Center parking permit system. He noted that the population of One East Pleasant will be distinct from the population of these two buildings. However, trends show that there will be less car ownership in the younger population. He referred to a recent report from global auto manufacturers which states that car ownership for younger people is expected to go down.

Mr. Tucker quoted some average prices for providing parking spaces:

- Surface parking - \$2,500 to \$12,000 per space
- Structured decks above ground - \$12,000 to \$30,000 per space
- Below-ground parking in a structure - \$40,000 to \$70,000 per space

The reason why there has been no proposal for below-ground parking on this site is that groundwater is about 2 to 2 ½ feet below the surface in this area of town, he said.

Mr. Webber summarized the discussion. Parking downtown is an ongoing issue. The question is whether 36 spaces in conjunction with the Municipal Parking District is adequate for this proposal. There is some agreement that young people are less likely to have cars.

Jacqueline Maidana of Clark House stated that when Clark House was built, not all of the spaces were used. Now there is a shortage of parking. The garage is used by some tenants. The town will need to build another garage to accommodate another development. The number of spaces proposed [36] is not enough for more than 190 residents. Parking lots on campus are not adequate, she said. She is relieved that the Planning Board is taking the issue of parking seriously.

Jennifer Taub of Precinct 10 stated that Lincoln Avenue has a number of student houses. These houses have many cars for tenants and visitors. There are 1,000's of cars on the UMass campus. Apartments that are 800 square feet will rent for \$2,900, she asserted. These apartments will have 4 students and these students will be able to afford cars, she said.

Mr. Roznoy reminded the Planning Board about the book [Walkable City by Jeff Speck] that Mr. Carson had introduced to them. He referred specifically to the chapter on parking, which describes the true cost of parking spaces and how to use them more efficiently. If more parking spaces are provided on site then the project will produce less taxable income for the town, he said.

Mr. Wilson stated that parking spaces on-site would be leased on a "first come, first served" basis. There will be a separate lease agreement for the parking spaces.

Mr. Carson noted that if more parking spaces were provided in the building the retail spaces would be smaller.

There was further discussion about parking and the Municipal Parking District. Mr. Schreiber stated that if a potential tenant has a car he will seek housing with a parking space. He also noted that there is a strict overnight "no parking" regulation for on-street parking in winter, he noted.

Mr. Webber noted that the Board would need to make findings with regard to Site Plan Review Criteria 11.2430, 11.2431 and 11.2432, having to do with parking and vehicular and pedestrian circulation.

Vince O'Connor stated that he had submitted a letter regarding how many people will actually occupy the proposed building. There will be more than 1 person per bedroom, he asserted, with up to 240 to 300 people occupying this building. He further asserted that this building is a dormitory with retail space on the ground floor, rather than a mixed-use building. If residents of the building have priority for the parking spaces, where will the retail tenants park? He noted that there is not an unlimited supply of permit parking in the downtown area and asserted that families who might live in the building will have cars to go shopping. This property will constitute a problem for abutters. The Planning Board should "waive" the Municipal Parking District regulations in this instance and require 120 to 150 spaces for this building, he said.

Mr. Webber stated that the Planning Board needed to make findings under the Site Plan Review criteria and to set conditions for the Site Plan Review. He referred to lists of potential conditions that had been developed by the Planning Board and by staff.

There was discussion about whether the conditions should require the lease to state that tenants have the responsibility for obtaining their own parking. There was discussion about whether the conditions should require a live-in superintendent. Mr. Wilson noted that the applicants are negotiating a contract with a property management company and are discussing the need for a front desk presence, retail management and on-site live-in management. The applicants are looking for one company to manage all of their downtown properties.

Mr. Webber recommended that the Board review the draft conditions and that staff develop a revised version of the lists of potential conditions, to be reviewed at the next session of the public hearing.

Mr. Webber MOVED to continue the public hearing on the Site Plan Review [SPR2015-00003] to 7:00 p.m. on December 3, 2014. Mr. Carson seconded and the vote was 6-0-2 (Anderson and Calabrese abstained).

The Board and Planning staff requested that any further written public comments be submitted by December 2nd.

SPR2015-00006 & SPP2015-00002 – 134 Montague Road – Atkins North – Joint Public Hearing

Request Site Plan Review approval under Section 3.350.2 of the Zoning Bylaw to renovate and reuse a 4,200 SF former cow barn to retail space and associated site improvements, including seasonal outdoor dining and live and pre-recorded music, under Sections 5.041 and 5.042 of the Zoning Bylaw, and request Special Permit approval under Section 9.22 of the Zoning Bylaw to allow continued commercial service vehicles to enter property from Montague Road (Map 5A, Parcel 139, COM zoning district)

Mr. Webber read the preamble and opened the joint public hearing.

Rob Levesque of R. Levesque Associates Inc. and Chris Farley of Kuhn Riddle Architects presented the application. They were accompanied by Cinda Jones and Evan Jones, property owners and by representatives from Atkins Farms Country Market.

The applicants plan to renovate a 4,200 square foot former cow barn located at the corner of Cows Road and Montague Road in North Amherst. They plan to reuse the cow barn and make architectural improvements. The site improvements will include 50 parking spaces and two curb cuts, with entry and exit lanes. The access aisle will be 24 feet wide. There will be 3 handicapped parking spaces with 1 van-accessible space. The entry and exit doors to the building will be on the west side. Although there will be a slight grade change from the parking lot to the entry door, all of the pedestrian walkways will be graded at less than 5%, so the walkways will not need railings. There will be a loading dock for deliveries on the east side of the building. Mr. Levesque noted that revisions had been made to the proposed driveway on the east side. He distributed revised drawings. The lot coverage is now non-conforming for the entire lot. The proposal will include adding green space to bring the lot coverage down to 70% as allowed by the Zoning Bylaw in the COM zoning district, so that it becomes conforming.

Mr. Levesque described the revised configuration of the loading dock and driveway leading to it. He stated that the existing driveway from Montague Road would stay the same to allow traffic through to the rest of the site, as has been typical over the years.

The grading plan for the site around the cow barn slopes towards the west. Stormwater will flow to the deep sump catch basin at the west side of the western entry drive. From there it will flow through a pipe to the “stormceptor” structure where oils and sediment will be separated out. From the “stormceptor” the water will flow to the subsurface infiltration bed under the proposed parking lot on the west side of the site. The roof leaders from the north side of the building will also flow into this subsurface infiltration bed. The roof leaders from the south side of the building will discharge on-grade.

The applicants submitted an updated stormwater drainage report.

Mr. Levesque described the Lighting Plan, including a photometric plan showing the parking lot lighting. The plan shows that there will be no light-trespass at the edges of the leased area. Catalog cuts on parking lot lights were also submitted and described by Mr. Levesque along with a photograph of the proposed gooseneck lights to be mounted on the building. The lighting will be shielded.

Mr. Levesque presented the Landscape Plan which was developed based on the Town of Amherst Landscape Guidelines. He also presented detail sheets for the site work and elevations of the building.

Mr. Farley described the building and the proposed renovations and additions. The architects have tried to maintain the exterior. The proposed finishes will include red vertical boards for siding and white trim. Small changes to the exterior include a loading dock with a new shed roof and a second story on the "L" on the north side to provide additional office space and a counting room. The "L" will have a pitched roof consistent with the roof lines of the rest of the building.

On the west side, there will be a new entry and exit door. The existing overhead door will be removed and the opening will be covered up. The entry and exit doors will flank the former barn door opening. On the east side of the "L" there will be a staff entry.

Mr. Farley described the proposed signs. There are two Mill District directory signs proposed at either end of Cows Road (one on the west side of Sunderland Road at the intersection with Cows Road). There is one building identification sign proposed for the north side of the parking area. There is one "delivery only" sign to mark the delivery entrance off Montague Road. The directory sign designs are consistent with the signs for the Trolley Barn building.

There are two signs proposed for the west side of the building, with a total square footage that is within 10% of the area of the façade, as allowed. There is a roof sign proposed for the north side of the building, which is also less than 10% of the façade area and is within 4 feet of the main eave line, as allowed in the Bylaw.

Janet Keller of Pulpit Hill Road offered comments on behalf of a group of abutters and neighbors. She read the names of these individuals and added the name of Daniel Martin.

Ms. Keller said that the abutters and neighbors welcomed Atkins North and wished it success. They support the seasonal outdoor dining but have concerns about the live and pre-recorded music being proposed. The Harp and the Cushman Store have music indoors. They get a permit when they want to offer music occasionally outdoors. Most of the business of Atkins North will be indoors, she said. Live and pre-recorded music outdoors on a regular basis will be substantially more detrimental to the neighborhood than the existing condition.

Ms. Keller commented on the Special Permit requesting continued use of the driveway for commercial/service access to the parcel. She expressed concern about the amount and type of traffic that has been described by the applicant as using the existing driveway. The neighbors have seen a few cars and vans, but not a substantial amount of traffic using this driveway. The neighbors are concerned about traffic. Montague Road is zoned R-N on both sides. Montague Road has a "messy" intersection with Summer Street, with poor sight lines. This is only the first of more development for this site. The neighbors would like to limit what this new development will do to safety and traffic in the area. Using the driveway to access Atkins North will be significantly different in character and substantially more detrimental to the neighborhood than the existing condition, she said. Cows Road would provide a more direct, shorter and safer access for deliveries and would not harm the residential character of Montague Road. She also hopes that there will not be signs on Montague Road.

Ms. Keller referred to Section 8.11 of the Zoning Bylaw which states that "No billboard, nor any sign on which the principal product or service advertised is not regularly produced or available on the premises, shall be erected or maintained in any residence District."

Melissa Perot of 15 Summer Street stated that she supports the proposed program for the site but has concerns about the site plan. Montague Road is a residential road and Sunderland Road is commercial. Cows Road is mixed. She would like to maintain the residential character of Montague Road and limit commercial access to the site to the access points along Cows Road. Commercial access should be from commercial property, she said. The vehicles that use Montague Road are mostly cars and not commercial vehicles. Bringing access to the site from

Cowls Road would not be a hardship for the developer. She is concerned that, if the rest of the site is developed, access for the entire site will be able to come through the residential district if the Special Permit is approved.

Louis Greenbaum of 298 Montague Road agreed with previous comments and noted that the proposed development is a new entry in terms of scale and number of vehicles. Trucks will be coming where they never have before in this kind of volume. There will be added noise and traffic. He welcomes the project that is proposed but is concerned about the increase in traffic on Montague Road. He encouraged the applicant to consider access from Cowls Road and urged the Planning Board to deny the Special Permit.

Vince O'Connor of Summer Street stated that the applicant would need to obtain a permit from the state for access from a state highway. He cited M.G.L. Chapter 81, Section 21. He objected to the access from Montague Road because it would cross residentially-zoned property with commercial uses. The nature and scale of the access would be different from what currently exists. The Zoning Bylaw does not allow residentially zoned property to be used for access to commercially zoned property. He urged the applicant to reconsider this proposal and come back with a plan showing access off Cowls Road.

Valerie Cooley of 125 Montague Road lives across from the entry drive that is proposed for commercial use. She would like the plan to minimize harm and visually offensive structures for the neighbors and urges that no changes be allowed on the east side of the property. She is concerned about the view of the loading dock and dumpsters from her property. She works at home and has lived in the house for 17 years. She disputes the testimony of the applicant regarding the numbers and frequency of vehicles entering the site from Montague Road. Typically there might be 5 cars in the morning for a staff meeting. She has never seen a log truck or a fork-lift enter the property from the driveway at 134 Montague Road. No one is there on the weekends, she said.

Ms. Cooley is concerned about the safety of the intersection of Summer Street and Montague Road. There is a pedestrian crossing and a bus stop there. It is a heavily traveled pedestrian road. The Board should think seriously about adding commercial vehicles at that driveway. More development is coming to this property. She welcomes Atkins but asks the Board to think about the future.

Mr. Roznoy asked where employees would park. Employees will park in the new parking lot, not at the garage to the south of the driveway.

Ms. Calabrese asked why the applicants want commercial access on Montague Road.

Mr. Levesque stated that they want to separate patrons' access to the store from deliveries. With deliveries behind the barn they will be hidden. Most of the deliveries will be from the other Atkins store – with vans and box trucks. Major deliveries will go to the main Atkins store.

Ms. Jones suggested a compromise for access. She noted that there is another existing driveway on the west side of the house at 134 Montague Road. Since it already exists it wouldn't require more pavement and it would preserve safety and green space.

Ms. Perot noted that this other driveway is still in the Residential district.

There was discussion about the types and frequency of vehicles. Ms. Jones stated that there would be a dumpster truck twice a week.

Board members expressed interest in this compromise.

Ms. Anderson stated that she did not like the driveway access off Montague Road when she attended the site visit. She liked "Plan B" the compromise access. Ms. Anderson noted that there will be more traffic during rush hour and that the access off Cowls Road will be good for future growth and development.

Ms. Calabrese agreed with these comments, but asked if the majority of service access could come along Sunderland Road and turn right into Cowls Road and right again into the driveway.

Ms. Brestrup reminded the applicant that she would need to revise her letter of support for use of the driveway off Cowls Road. Currently the applicant had submitted a letter of support for use of the driveway off Montague Road, including descriptions of prior and current vehicular use of the driveway.

Mr. Webber expressed doubt that truck drivers could be convinced to enter the property from Cowls Road and bypass the driveway off Montague Road.

There was further discussion about access.

Ms. Jones spoke about the proposed signs at either end of Cowls Road. It is critical for Bread and Butter restaurant and Lift hair salon as well as Atkins for people on Montague Road to know that these businesses are there. It is reasonable to allow these signs on the lawn of a grandfathered commercial use on the residential properties.

Ms. Brestrup stated that there is a section on signs in the Development Application Report. It appears that all of the proposed signs can be approved in one way or another either by allowing them based on their adherence to Article 8 of the Zoning Bylaw or by allowing them through Section 8.41 which allows directional or informational signs or through Section 8.5 which allows waiver or modification of sections or subsections of Article 8, with certain findings.

Mr. Webber noted that the Board had the applicant's full application and had received letters and emails from citizens about this proposed development.

Mr. Webber noted that the live music might require a Special Permit. Because the cow barn is within 150 feet of a residential unit in a residential district a Special Permit would be required.

Mr. Webber stated that it would be helpful if the applicant would provide illustrations of how the signs will fit into the landscape. He suggested that the applicant take photographs and superimpose the sign designs on the photographs.

Mr. Schreiber MOVED to continue the public hearing to December 17th. Mr. Roznoy seconded and the vote was 8-0-0.

SPR2015-00007 – Hwei-Ling Greeney for Amherst Community Connections – 222-224 Belchertown Road

Request Site Plan Review approval to operate a charitable residential facility under Section 3.336.1 of the Zoning Bylaw, to house up to 24 individuals in a two-family dwelling (up to 12 in each unit) (Map 15C, Parcel 33, R-N zoning district)

Mr. Webber read the preamble and opened the public hearing.

Hwei-Ling Greeney of Amherst Community Connections and Jerry Gates presented the application. They are proposing to use the house located at 222-224 Belchertown Road for charitable housing. They now have residents living in the two dwelling units in the house. They rented the house in February 2013 and established a transitional housing program. They have so far graduated over 20 residents from the program. Mr. Gates provides management of the property. Ms. Greeney works with the residents to obtain housing and food assistance. She

holds meetings twice a week with the residents on subjects like use of the kitchen and living together. The meetings are held on Monday at 9:00 a.m. and attendance is required of all residents. Once a week she speaks with each resident to work out personal goals on housing and job search. The house has a manager on site. Ms. Greeney asks the house manager to communicate with the residents. She is asking for Site Plan Review approval to renovate the third floor to allow two additional bedrooms for each unit, for a total of four additional bedrooms in the building. She would like to increase the capacity of the house to allow more residents to live there. She has received letters of support from Eliot Services, a group that provides housing resources, and from ServiceNet. She wants to provide decent, safe, stable housing. She described the merits of a transitional housing program.

Mr. Gates stated that when they first rented the house the plumbing, heating and electrical systems were not up to code. They have brought the first and second floors up to code with new plumbing and electrical systems and cleaned up the yard. They have removed the kitchen on the third floor and would like to increase the number of residents allowed to live in the building. An architect will provide a plan of the interior to determine exact measurements for each bedroom which will help to determine how many people can occupy each room. They would like to be able to house a maximum of 24 people in the building, 2 per bedroom. Realistically they would house about 19 or 20 people. A sprinkler system, fire detection and a fire escape will be required and will be installed. The front and sides of the building will remain as they are now. He asked that the Planning Board let the Building Code and Inspection Services determine the final number of people who can live in the building.

No written Site Visit Report was available for review. Mr. Webber gave an oral report on the site visit. Several Planning Board members attended and saw the exterior of the building and looked at the site. They asked questions about the parking.

Ms. Greeney noted that the Site Plan shows 6 parking spaces on the site. The paved area is about 53 feet wide, allowing 6 spaces at approximately 9 feet each across the back of the site.

Mr. Gates noted that the lot is large enough to expand the parking if needed, but most tenants don't have cars. This is transitional, temporary housing, he said.

Ms. Greeney noted that the program can dictate whether a resident is able to bring a vehicle to the site or not. There is frequent bus service on Belchertown Road and residents ride bikes or walk to town.

Ms. Brestrup asked about storage of trash and recommended that the applicants speak with the Fire Department about a safe place to store the trash. The Health Department will also need to approve the location of trash storage. She noted that a group of town staff members has been holding ongoing discussions about the proposal for this property.

Jackie David, owner of 234 Belchertown Road, stated that her family has owned and rented the property at 234 Belchertown Road for over 100 years. She thanked Ms. Greeney and Mr. Gates for cleaning up the property. She stated that traffic is very heavy on Belchertown Road and she expressed concern about having 24 residents in the building who need to cross Route 9/Belchertown Road to access the bus stop on the south side of the street. Ms. David expressed concern about allowing 24 people to live in a two-family house. She noted that in her rental she is allowed to have 4 people per dwelling unit. She initially thought that a total of 12 people in the house would be a problem, but 24 is very high. She is worried about people crossing the street, about trash control, lights in the parking area. She asked that the Board require that a safety barrier be installed between her property and the property under consideration. She noted that there is an electric fence along the rear of the property. This is turning into permanent residential housing for people. Permanent housing for 24 on this property is overcrowded, she

said. Residents will need space for recreation. They will also need training and social and job skills. Three bathrooms proposed per unit for a total of 12 people per unit is not enough, she said. Ms. David stated that it is not hard to get a 501 (c) 3 designation. The landlord still owns the property and she is concerned about who will maintain it. Who will attend to problems in this house? As a landlord, she has to answer to the town if there are problems on her property. Who will answer to the town if there are problems on this property?

John Kinchla owner of Amherst Nurseries at 199 Belchertown Road asked about the increase from 12 people total to 24 people. He thought that the initial number of 12 people was high, but 24 is excessive. The R-N zoning district is a medium-density district. The proposed density of this house would be 1 tenant per 179 square feet of interior space, including the porch. He asked how much money it costs to lease a room in this house. Mr. Kinchla stated that this seems like a boarding house, which is not an allowed use in this zoning district. He supports the idea of a charitable residential facility, but this house has been a problem in the past, as recently as last summer. There was a suicide threat at the house and the police arrived and were carrying guns. He and his employees feel unsafe when residents of this house come across the street and ask to use the phone. The owner has a permit for an owner-occupied two-family house, but she doesn't live there. There have been problems at his nursery overnight. Twenty-four people in the house will cause a problem with fire safety. The use doesn't fit with the neighborhood in the definition of a medium density district. He could support approval at some level, with a review every year or two. The Board should be mindful of the precedent throughout the town of 4 unrelated people allowed to live in a unit. This limit is imposed on the student population. There should be a complaint mechanism put in place if this application is approved.

Ms. Brestrup explained that the original advertisement and public hearing notice had contained an error, stating the proposed number of tenants was to be 12 in the house. The Site Plan Review public hearing was re-advertised with a total of 24 tenants in the house, as the applicant had originally requested.

Patrick Duffy has been an abutter for 19 years. This morning he found two TV's and a set of speakers that had been thrown over the fence into his property. He can't manage the trash that comes over the fence. He cannot support the request to house twenty four people in this house. There have been police visitations. He is concerned about the client base that lives there. He farms 53 acres and owns cattle. Wine bottles, smashed glass and dumped oil have been discarded on his property, which endangers his cows. Snow from the driveway has been plowed onto his property and damaged his electric fence. There has been encroachment and disrespect. The pursuits are admirable and commendable, but he believes that even twelve people are too much for this property. He fears that his farm business will be affected.

James David of 244 Stanley Street stated that the property is permitted as a two-family house. There is not enough land to house the number of people being proposed. He complained of not having received a notice about this hearing.

Ms. Brestrup stated that anyone who owns property within 300 feet of the subject property was sent a notice of public hearing. Mr. Webber added that the notice was also published in the local paper and on the town's website.

Ms. Anderson stated that the occupancy of the house is unknown at this time. The Board needs information on the current occupancy. There is a residential rental program in place now, she said.

Ms. Brestrup explained that this type of residential facility is not covered under rental registration.

Mr. Webber noted that the applicant had said that this facility functions like a half-way house. But the material submitted says that the program will change from transitional to permanent.

Ms. Greeney explained that there is an evolution in the terminology that describes programs such as these. She mentioned the term “housing first” as a new way to deal with mental health and substance abuse issues. There is some confusion over the terms “transitional” vs. “permanent”. HUD regulations allow a person to live in a temporary situation for up to 24 months and after that the person needs to find new accommodations. Ms. Greeney would like to establish a residence where tenants are not required to leave after 24 months, but are instead encouraged to obtain housing and employment security, usually within a period of 3 to 9 months.

Ms. Greeney stated that rent is paid by the residents and that it is supplemented by donations from the public to Amherst Community Connections. Now, everyone who works here is a volunteer. No one derives a salary, she said. The rent per month is from \$400 to \$600 depending on the size of the room, utilities included.

Mr. Webber praised Ms. Greeney’s and Mr. Gates’ motives for helping the residents to find their way. He thanked them for their hard work, and stated that the Planning Board’s job is to make sure that the residence is a safe and healthy place, consistent with the neighborhood and to minimize impacts to the surrounding area.

Board members listed some issues regarding management of the property that needed to be resolved:

- Storage of trash
- Provision of adequate lighting
- Screening of trash and parking
- Pedestrian safety for people entering and exiting the property and crossing to the bus stop
- Maintenance and upkeep of the building and how this is handled
- Telephone service for residents
- Bike parking (Should there be a covered bike rack for 6 to 8 bikes?)
- Amount of living space for residents (How large is the living room, dining room space? Where will people eat?)

Mr. Roznoy asked why there was a need to house 24 people in a building that is really a duplex. He described the units as having 3 bedrooms and 1 bath on the second floor. On the first floor one would need to walk through the living room to get to the bathroom. He questioned the plan to house two people per bedroom, noting that the applicants have stated that there are 8 people in the house now. He acknowledged receipt of letters from human service organizations, but noted that they were not from Amherst. He asked if the facility is designed to accommodate Amherst residents.

Ms. Greeney described the building as a duplex, with a wall between the units. Each unit has 4 bedrooms now. She explained the distribution of bathrooms. At least 3 of the bedrooms are larger than 140 square feet, which is the amount required to house two people per room (80 square feet for the first person and 60 square feet for the second person).

Ms. Greeney asked the Board to advise her about how many people it would be willing to approve, before she hires an architect to draw up plans for the units.

Mr. Webber stated that the number that the applicant is asking for (24) is double the number that the site can support. In his opinion the limit should be 1 person per bedroom. Mr. Crowner agreed, but was not sure what regulations allow the Planning Board to control the number of

residents.

Mr. Carson and Mr. Stutsman agreed that 12 was enough. They asked to hear from the Fire Department and the Police Department about the application.

Mr. Webber stated that the Planning Board can regulate the appropriateness of the site plan and, in his opinion, can regulate the number of occupants. Mr. Schreiber agreed with the number of 12 residents as the maximum.

Mr. Duffy stated that bikes were often chained to his trees and that ladders and construction equipment also affected his trees. He said that there were issues of trespass onto his property.

Ms. Brestrup noted that the Board can impose conditions, such as requiring a fence to protect abutters' property.

Mr. Webber recommended that a place for snow storage be shown on the plans.

Ms. Anderson MOVED to continue the public hearing to 7:05 p.m. on January 7, 2014. Mr. Carson seconded and the vote was 8-0-0.

III. ZONING

A. Zoning Subcommittee Report – Mr. Crouner presented the report. The ZSC has begun to work on Inclusionary Zoning, based on the results of the spring Town Meeting experience and on the report from the consultant. The ZSC is taking a different look at Inclusionary Zoning, starting with the Special Permit and where to go from there. The ZSC hopes that the Select Board is also working on Inclusionary Zoning issues. The ZSC is not close to having a new article yet. They are also working on the Multi-family Housing Overlay zoning amendment, possibly dividing it into a number of phases as follows:

1. Rearranging the Special Districts section of the Bylaw;
2. Bringing some of the apartment complexes into conformity with the Bylaw as to use and dimensional requirements;
3. Incentivizing infill and development of these complexes;
4. Strategizing long term process for zoning amendments (What needs to be done and in what order?)

Mr. Webber stated that he would like to see an Inclusionary Zoning amendment that would actually generate affordable housing. The Planning Board needs the Select Board to be "on board" regarding tax incentives and bonuses for developers. The Planning Board would offer dimensional variations or additional units. The goal would be more incentives to provide more housing. Maybe the town could tie redevelopment of apartment complexes and affordable housing together. Mr. Stutsman noted that a previous draft of the Multi-family Housing Overlay amendment had an affordable housing component.

Ms. Calabrese asked if there would be an opportunity for the Select Board and the Planning Board to meet together on this topic.

Mr. Crouner stated that the Select Board and the Planning Board had not met together recently on IZ but that Select Board members regularly attend Planning Board and ZSC meetings. They are aware of what is being done and in touch with the Planning Board. There was a joint public meeting of the Planning Board and Select Board on affordable housing this past summer.

B. Public Comment Period – none

IV. OLD BUSINESS

Topics not reasonably anticipated 48 hours prior to the meeting – Mr. Webber reported that there had been a Land Court ruling on The Retreat case. The Planning Board has received copies of the legal decision. He asked staff to post it on the Planning Board webpage.

V. NEW BUSINESS

- A.** PVPC – District Local Technical Assistance (DLTA) Program – Projects Solicitation for 2015 – Ms. Brestrup explained that the Planning Board may wish to ask PVPC for technical assistance on projects for 2015. If so, the requests need to be submitted by December 1, 2014. After discussion, the Board declined to request additional technical assistance from PVPC at this time. Mr. Webber noted that the governor could cut funding of this program and members of town staff and Mr. Webber called the governor’s office to urge support for the DLTA program.
- B.** MassDevelopment – Letter regarding revenue bond – property at 652 South East Street – The Board acknowledged receipt of the letter regarding refinancing of the property on South East Street. A group home has been built on the property formerly owned by Scott Nielsen that had been proposed for condominium development.
- C.** Topics not reasonably anticipated 48 hours prior to the meeting – none

VI. FORM A (ANR) SUBDIVISION APPLICATIONS – none

VII. UPCOMING ZBA APPLICATIONS – none

VIII. UPCOMING SPP/SPR/SUB APPLICATIONS – none

IX. PLANNING BOARD COMMITTEE & LIAISON REPORTS

Pioneer Valley Planning Commission – Bruce Carson

Community Preservation Act Committee – Sandra Anderson

Agricultural Commission – Stephen Schreiber – Mr. Schreiber reported that he attended his first Ag Com meeting. The main topic of discussion was the Farmers’ Market. The Ag Com talked about urging the Farmers’ Market to open up to more vendors.

Transportation Plan Task Force – Richard Roznoy and Rob Crouner – Mr. Roznoy reported that the TPTF was well on its way, holding weekly meetings on Mondays. The consultants had collected information, set up an online survey which will be available through the town’s website until the end of November. The consultants plan to draft materials for review by mid-December.

Amherst Redevelopment Authority – vacant

Design Review Board – vacant

Housing and Sheltering Committee – Greg Stutsman

Town Gown Study Steering Committee – David Webber and Greg Stutsman – Mr. Stutsman reported that the TGSSC had its first meeting since the presentation of the consultant’s report. The committee needs to synthesize the report’s recommendations and make its own recommendations to the Chancellor and the Town Manager. The TGSSC talked about setting up a new committee, possibly to be called UTAC (University and Town of Amherst Collaborative) to continue the work of the committee. One of the recommendations of the consultant’s report is to hire an Economic

Development Director. This is on the committee's draft list of recommendations.

Master Plan Implementation Committee – vacant

Zoning Subcommittee – Rob Crowner, Bruce Carson, Greg Stutsman and Stephen Schreiber

Mr. Webber invited Ms. Calabrese to consider whether she would like to serve on one of the boards or committees that currently has a vacancy. The Design Review Board and the Zoning Subcommittee were mentioned as possibilities. Mr. Schreiber will be going off the Planning Board this coming year and it would be helpful to have some continuity on the ZSC.

X. REPORT OF THE CHAIR – none

XI. REPORT OF STAFF – none

XII. ADJOURNMENT

The meeting was adjourned at 10:40 PM.

Respectfully submitted: Approved:

Christine M. Brestrup
Senior Planner

David Webber, Chair

DATE: _____